

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

SIMON GOGOLACK, *et al.*,

Defendants.

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**SECOND AMENDED  
SCHEDULING ORDER (NON-  
DISPOSITIVE MOTIONS)**

**Case No. 23-cr-0099-LJV-JJM**

As discussed by the parties at the hearing held March 5, 2025, and with good cause shown, defendants Gogolack, Gerace, Ermin, Roncone, Hinkle, and Barber's time to file non-dispositive pretrial motions is extended. Defendant Knight's time to file both dispositive and non-dispositive pretrial motions remains held in abeyance. The Amended Scheduling Order [345] is amended as to these defendants as follows:

- (1) All non-dispositive pretrial motions, including all supporting papers and memoranda of law in support thereof, shall be filed by **April 16, 2025**. **ALL MOTIONS SEEKING SEVERANCE ARE TO BE SEPARATELY FILED WITH HON. LAWRENCE J. VILARDO.**
- (2) All responses to pretrial motions, including all supporting papers and memoranda of law in support thereof, filed in accordance with the preceding paragraph shall be filed by **April 30, 2025**.
- (3) Replies, if any, shall be filed by **May 9, 2025**.
- (4) **Oral argument on any pretrial motions shall be heard on May 21, 2025 at 10:00 a.m.**
- (5) The deadline for filing dispositive pretrial motions will be determined at a later date.

For the reasons stated on the record during today's proceeding, the period of time from the date of this through May 21, 2025 is excluded pursuant to and in accordance with the provisions contained in 18 U.S.C. §3161(h)(7)(A) and 18 U.S.C. §3161(h)(7)(B)(iv).

Any requests for extension of the above dates must be made by the filing of a motion, electronically, with the Clerk of the Court, prior to the due date. Such application shall be made only after conferring with all other parties and shall include a suggested rescheduled date, agreeable to all parties. As a general rule, no request for an extension will be granted unless extraordinary circumstances are present.

Any non-dispositive motion identified in Rule 12(b)(3) that is not filed by the deadline set for filing pretrial motions will be denied as untimely, unless accompanied by a showing of “good cause”. *See* Rule 12(c)(3).

**Counsel for the parties are directed to provide the Court with a courtesy copy of Motions, Responses, Replies, Memoranda of Law, and Exhibits clearly marked.**  
**SO ORDERED.**

Dated: March 5, 2025

/s/ Jeremiah J. McCarthy  
JEREMIAH J. MCCARTHY  
United States Magistrate Judge